



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

June 5, 2006

Mr. Ed Sundra  
Virginia Division  
Federal Highway Administration  
400 North 8<sup>th</sup> Street  
Richmond, VA 23240-0249

**Subject: Capital Beltway Study, Transportation Improvement to the 14-Mile Section of Capital Beltway (I-495) between the I-95/I-395/I-495 Interchange and the American Legion Bridge, Fairfax County, VA Capital Beltway Study FEIS. CEQ# 20060153**

Dear Mr. Sundra:

In accordance with the National Environmental Policy Act (NEPA), and Section 309 of the Clean Air Act, the Environmental Protection Agency (EPA) offers the following comments regarding the Capital Beltway Study, Final Environmental Impact Statement/Section 4(f) Evaluation. The Federal Highway Administration (FHWA), in conjunction with the Virginia Department of Transportation (VDOT), proposes to widen the 14- mile section of the Capital Beltway located in Fairfax County, Virginia. The project is located between Backlick Road and the American Legion Bridge. The improvements are intended to increase the capacity, safety and performance of the Capital Beltway and local streets. The proposed project will increase the lanes from the existing 8 lanes to the preferred alternative's 12 lanes, including 4 High Occupancy Toll (HOT) lanes.

The FEIS did not include our July 10, 2002 comments on the Draft Environmental Impact Statement (DEIS). This oversight has two significant ramifications. First, the public has not had access to EPA comments or concerns. Secondly, the FEIS fails to acknowledge, address, or respond to our comments. EPA urges FHWA to consider our comments on both the DEIS and FEIS and address them as appropriate in the Record of Decision for this project. Our comments on the DEIS are attached.

EPA is pleased to see that residential and other impacts have been dramatically reduced and the highly impacting barrier that separated the High Occupancy Vehicle (HOV) lane alternative was not selected as the preferred alternative (one of our principle concerns with the 12 lane alternative in the DEIS). Although impacts were reduced, this was accomplished at least partially, by utilizing a less aggressive interchange design. This raises a question regarding performance of the preferred alternative. Presumably the design chosen in the DEIS was the optimal design and scaling back the design will lead to less traffic flow and more congestion. The FEIS did not specifically address this issue.

The FEIS includes HOT lanes as an alternative for the first time. The FEIS states that if the HOT lanes become full (more than 3400 cars per hour) additional riders, including (HOV) with 3 or more passengers, will be "priced out". It is unclear how this can be implemented since

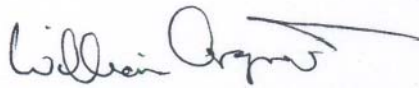
HOV users won't be tolled. Moreover, this seems to be a serious public policy issue in that a paid single or double occupancy user could fill up HOT lanes and prevent 3 passenger (or more) HOV's from using them. How will this encourage car pooling and reduce congestion and pollution on the Beltway? While FHWA didn't consider this a large enough change in scope from the DEIS to warrant a supplemental DEIS, EPA questions whether, procedurally, this should have been a supplement for public comment in a NEPA document.

The FEIS leaves some uncertainty regarding FHWA coordination of the Maryland and Virginia projects and if they will seamlessly fit together with the HOT lane concept. The document is silent on the integration of beltway configurations in both states. EPA recommends the ROD address this issue. It was also unclear if HOT lanes are not carried seamlessly around the beltway what, if any, bottlenecks may be caused as HOT lane riders are dumped on to the general purpose lanes and where this would likely occur.

Although, as mentioned earlier, the direct impacts have been reduced by reducing the project footprint, EPA is still concerned about the increased noise level generated by a larger beltway coupled with cutting down vegetation in the existing right of way. EPA urges FHWA to ensure adequate funds are available for noise barriers and re-vegetation efforts.

In light of not addressing our concerns as expressed in our comment letter on the draft EIS and the issues mentioned above we still have remaining environmental concerns for this project. Most notable are the potential noise issues and the implementation of an HOT concept that may require additional public involvement. If you have any questions about our comments please contact me at 215-814-3367 or Mr. Peter Stokely at 703-648-4292.

Sincerely,

A handwritten signature in black ink, appearing to read 'William Arguto', with a long horizontal stroke extending to the right.

William Arguto  
NEPA Team Leader